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EXPRESS MAIL CERTIFICATE

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I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

B.W. LEE B.W. Lee  
Name (Print) Signature

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 3671/OK437

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Armin PRASCH et al.

Serial No.: 10/089,663 (National Phase of PCT/EP00/09558)

Filed: March 29, 2002

Confirmation No.: 6944

For: BIODEGRADABLE EXCIPIENT SYSTEMS FOR THERAPEUTICALLY ACTIVE SUBSTANCES AND METHOD FOR PRODUCING SAME

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Hon. Commissioner for Patents  
Box PCT  
U.S. Patent and Trademark Office  
Washington, DC 20231

Sir:

Applicant submitted the following items to the U.S. PTO/RO on July 10, 2002:

1. Declaration and power of attorney, as executed by the inventors.
2. Payment of \$130.00 surcharge for furnishing the declaration later than 30 months from the earliest claimed priority date, as set forth in 37 CFR 1.16(l) and 37 CFR 1.27.

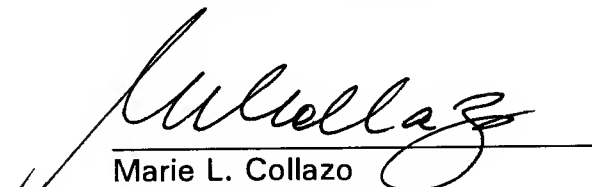
In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US dated June 27, 2002, Applicant submits herewith copies of the transmittal, declaration and power of attorney, return receipt postcard and check, as filed via Express Mail on July 10, 2002.

Applicant also encloses a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US.

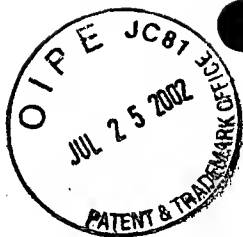
No fees are believed to be due at this time. However, the Patent Office is authorized to charge any deficiency up to \$300.00 in the above fees, and to credit any excess, to our Deposit Account No. 04-0100.

Respectfully submitted,

Dated: July 25, 2002

  
Marie L. Collazo  
Registration No. 44,085

DARBY & DARBY P.C.  
Post Office Box 5257  
New York, NY 10150-5257  
212-527-7700



Return of this card properly stamped, will acknowledge receipt of:  
National Phase Application ( § 371) Transmittal Letter - Second  
Submission of Items (2 pp); Declaration and Power of Attorney (2 pp);  
Assignment document with Recordation Cover Sheet Form PTO-1595;  
Check # **7784** for \$170; Return Receipt Postcard

Applicant : PRASCH et al.  
Serial No. : 10/089,663  
Filed : March 29, 2002  
For : **BIODEGRADABLE EXCIPIENT SYSTEMS FOR  
THERAPEUTICALLY ACTIVE SUBSTANCES...**  
Attorney : MJS/eeb  
File No. : 3671/OK437

Mailed

7/10/02

Mailer:

*DP*  
**EV 115766666 - US**

<b>DARBY &amp; DARBY P.C.</b> PATENT OFFICE ACCOUNT 805 THIRD AVENUE NEW YORK, NY 10022		1-852 210 43348074	7784
DATE		<b>7-10-02</b>	
PAY TO THE ORDER OF		COMMISSIONER OF PATENTS & TRADEMARKS	
<b>One Hundred &amp; Seventy</b>		<b>\$170 <sup>00</sup>/<sub>100</sub></b>	
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EEB



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,663	Armin Prasch	3671/OK437
		INTERNATIONAL APPLICATION NO.
		PCT/EP00/09558
		I.A. FILING DATE
		PRIORITY DATE
		09/29/2000
		10/01/1999
		CONFIRMATION NO. 6944
		371 FORMALITIES LETTER

 Michael J Sweedler  
 Darby & Darby  
 Post Office Box 5257  
 New York, NY 10150-5257

DUE: August 27, 2002

Docketed on 7/15 by DP for

Docketed without file ☐

Attorney



\*OC00000008352710\*

Date Mailed: 06/27/2002

1-27-03

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 305-3688

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,663	PCT/EP00/09558	3671/OK437

FORM PCT/DO/EO/905 (371 Formalities Notice)